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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/055,387	01/23/2002	Matthias Muth	DE 010023	7668

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS
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BRIARCLIFF MANOR, NY 10510

EXAMINER

FLANAGAN, KRISTA M

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/055,387	MUTH, MATTHIAS	
	Examiner	Art Unit	
	Krista M. Flanagan	2817	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9 and 11-13 is/are rejected.
- 7) ☒ Claim(s) 8 and 10 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Information Disclosure Statement

1. The listing of references in the Search Report is not considered to be an information disclosure statement (IDS) complying with 37 CFR 1.98. 37 CFR 1.98(a)(2) requires a legible copy of: (1) each foreign patent; (2) each publication or that portion which caused it to be listed; (3) for each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion, unless the cited pending U.S. application is stored in the Image File Wrapper (IFW) system; and (4) all other information, or that portion which caused it to be listed. In addition, each IDS must include a list of all patents, publications, applications, or other information submitted for consideration by the Office (see 37 CFR 1.98(a)(1) and (b)), and MPEP § 609.04(a), subsection I. states, "the list ... must be submitted on a separate paper." Therefore, the references cited in the Search Report have not been considered. Applicant is advised that the date of submission of any item of information or any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the IDS, including all "statement" requirements of 37 CFR 1.97(e). See MPEP § 609.05(a).

Specification

2. The abstract of the disclosure does not commence on a separate sheet in accordance with 37 CFR 1.52(b)(4). A new abstract of the disclosure is required and must be presented on a separate sheet, apart from any other text.

3. In view of the amendment filed on 15 September 2005, the Examiner withdraws objections to the abstract concerning content and objections the specification and claims concerning informalities.

Response to Amendment

4. The reply filed on 15 September 2005 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The applicant argues that the limitations of claim 1 have not been overcome by Lo, US Patent No. 4,539,677 however the remarks given are not persuasive. Applicant argues that claim 1 error management means recognizes an **error in the signal** the transceiver signals on the receiving line but the limitations of the claim are drawn towards an error management means that recognizes and **error on the signal line** the transceiver signals on the receiving line therefore applicant's arguments are non-responsive to the limitations of claim 1. Therefore the rejections of claim 1 based on 35 U.S.C. 102(b) and all dependant claims has been maintained. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

5. Regarding claim 2, the Applicant contends that the Lo reference fails to disclose an error management means that recognizes an error where the error signal is not cancelled until both the transmission line is inactive and the receiving line is active. The Examiner disagrees and asserts that Lo discloses a transceiver that includes a timer that allows access to the bus for transmission for a certain period of time. If the bus is available for transmission when the timer is to be reset

then an interruption signal is presented and evaluation is started to determine the next step. If a collision is detected then the transmitter is turned off and transmission is rescheduled. Therefore the transmission line is inactive and the receiving line is then active and the interruption signal can be cancelled until the situation is evaluated again (See figure 7 and 8 and column 2, lines 6-52)

6. The amendment filed 15 September 2005 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material, which is not supported by the original disclosure, is as follows:

7. Regarding claim 14, applicant claims a transceiver characterized in that the predetermined time interval *is in accordance with a minimal time interval ensured by the data bus protocol for an inactive state of the data bus*. The italicized items are not supported by the specification.

8. Regarding claims 15-20, applicant claims a transceiver comprising *error management logic* that monitor the signals of the transmission line and receiving line, the error management logic including *determination logic* that, responsive to the monitored signals, determines whether the data bus lines are in one state when the receiving line simultaneously signals the bus is in an opposite state, and the error management logic including *signal logic* that, responsive to said determination, provides an error signal. The italicized items are not supported by the specification.

9. Regarding claim 19, applicant claims a transceiver, wherein the timer generates the error signal responsive to the transmission line being active for a time period which is longer than a

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predetermined time interval *that is in accordance with a time interval ensured by the data bus protocol for an inactive state to arise on the data bus*. The italicized items are not supported by the specification.

Applicant is required to cancel the new matter in the reply to this Office Action.

Claim Rejections - 35 USC § 112

10. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

11. Claims 14-20 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Please see above paragraphs 7-9 for a full explanation of this new matter rejection.

12. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

13. Claim 18 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 18 states, a transceiver further comprising timer logic a timer, the timer generating a timer signal. The Examiner is not clear on what the applicant is trying to claim with regards to "timer logic a timer".

Claim Rejections - 35 USC § 102

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

15. Claims 1-7, 9 and 11-13 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,539,677 to Lo.

16. Regarding claim 1, Lo discloses a transceiver for a bus (see column 2, lines 6-10) in which the transceiver is connected to a controller (See column 2, lines 16-23), which is coupled to and manages a data bus (See figure 5 and column 2, lines 6-10). The transceiver comprises a control (See column 2, lines 16-23 and lines 24-33), which supplies an interruption signal when they recognize that the data bus lines are active, and when the receiving line simultaneously signals an inactive bus (See column 2, lines 34-52 and figures 7 and 8).

17. Regarding claim 2, Lo discloses a transceiver for a bus (see column 2, lines 6-10) in which the transceiver is connected to a controller (See column 2, lines 16-23), which is coupled to and manages a data bus. The transceiver comprises a control that comprises a timer circuit which triggers a signal when the transmission line is active for a longer period than a predetermined time interval, where the signal is cancelled only when the transmission line signals an inactive bus and the receiving line signals an active bus (See column 2, lines 6-52 and figures 7 and 8).

18. Regarding claim 3, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the control (See column 2, lines 16-

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23 and lines 24-33) switches a signal when the transmission line signals an inactive bus and the receiving line signals an active bus (See column 2, lines 34-52).

19. Regarding claim 4, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the control signal (See column 2, lines 16-23 and lines 24-33) switches a bus transmission stage in the transceiver to the inactive state (See column 7, line 49 - column 8, line 4).

20. Regarding claim 5, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the control signal (See column 2, lines 16-23 and lines 24-33) is signaled external to the transceiver by means of an error line (See column 7, line 49 – column 8, line 4).

21. Regarding claim 6, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that a control line is provided that resets the control and thus switches the control signal to the inactive state (See column 7, line 49 – column 8, line 4).

22. Regarding claim 7, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the means for control (See column 2, lines 16-23 and lines 24-33) comprises a flip-flop (See figure 6, reference characters 38 and 35 - “latch”), which, in the set state, supplies the control signal (See figure 6 and column 6, lines 47-62).

23. Regarding claim 9, which inherits all of the limitations of claim 2, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the timer circuit in the control sets the flip-flop (See figure 6, reference characters 38 and 35 - “latch”) when the transmission line is

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active for a longer period than a predetermined time interval (See figure 6 and column 5, line 61 – column 6, line 18).

24. Regarding claim 11, Lo discloses a transceiver for a bus (see column 2, lines 6-10) in which the transceiver comprises a control (See column 2, lines 16-23 and lines 24-33), which supplies an interruption signal that stops the transceiver from acting on the bus (See column 2, lines 34-52 and figures 7 and 8).

25. Regarding claim 12, Lo discloses a transceiver for a bus (see column 2, lines 6-10) in which the transceiver is connected to a controller (See column 2, lines 16-23), which is coupled to and manages a data bus (See figure 5 and column 2, lines 6-10). The transceiver comprises a control (See column 2, lines 16-23 and lines 24-33), which supplies an interruption signal when they recognize that the data bus lines are active, and when the receiving line simultaneously signals an inactive bus (See column 2, lines 34-52 and figures 7 and 8). The control comprises a timer circuit which triggers a signal when the transmission line is active for a longer period than a predetermined time interval, where the signal is cancelled only when the transmission line signals an inactive bus and the receiving line signals an active bus (See column 2, lines 6-52 and figures 7 and 8).

26. Regarding claim 13, Regarding claim 5, which inherits all of the limitations of claim 1, Lo discloses a transceiver (see column 2, lines 6-10), characterized in that the control signal (See column 2, lines 16-23 and lines 24-33) is signaled external to the transceiver by means of an error line to an processing equipment having priority over the controller (See column 7, line 49 – column 8, line 4 and abstract).

Allowable Subject Matter

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27. Claims 8 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

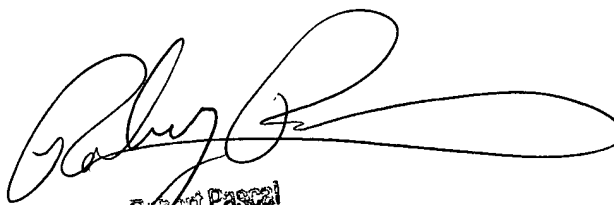
Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista M. Flanagan whose telephone number is (571) 272-2203. The examiner can normally be reached on Monday - Friday, 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert J. Pascal can be reached on (571) 272-1769. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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20051108



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